

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

RONALD DALE BURSTON, JR.,)
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Plaintiff,)
)
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vs.) **No. 1:12cv30 SNLJ**
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)
RUSSELL GRAHAM, et al.,)
)
)
Defendants.)

MEMORANDUM and ORDER

This is a prisoner's consolidated 42 U.S.C. § 1983 action against prison medical staff and others. On January 28, 2013, in case number 1:12cv31, this Court dismissed without prejudice plaintiff's claims against defendant Russell Graham due to plaintiff's failure to serve that defendant (#35). The Court later granted plaintiff relief from the order of dismissal by allowing him additional time to serve defendant Graham and ordered defendant Novak to furnish contact information for Graham or his employer (#38). Defendant Novak did not respond to the Court's Order. However, plaintiff later furnished the Court with an address for Graham that he obtained from the Missouri State Board of Registration for the Healing Arts (#39). Shortly thereafter, defendant Novak sought and obtained consolidation of that case with cases numbered 1:12cv30 and 1:12cv32.

The Court will order the Clerk of the Court to arrange for another attempt at service of process on Dr. Graham.

Additionally, the Court will address plaintiff's Motion for a Preliminary Injunction (#51). "A court issues a preliminary injunction in a lawsuit to preserve the status quo and prevent irreparable harm until the court has an opportunity to rule on the lawsuit's merits. Thus, a party moving for a preliminary injunction must necessarily establish a relationship between the injury

claimed in the party's motion and the conduct asserted in the complaint." *Devose v. Herrington*, 42 F.3d 470, 471 (8th Cir. 1994). Here, plaintiff's preliminary injunction request pertains to treatment he is receiving or received as an inmate housed at Northeast Correctional Center by officials at Northeast Correctional Center. The subject of plaintiff's lawsuit here pertains to treatment he received at the Southeast Correctional Center by individuals working at Southeast Correctional Center. As a result, the Court may not order the relief requested by plaintiff. The Clerk of the Court will be ordered to supply plaintiff with a blank pro se civil complaint.

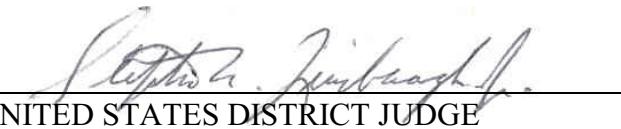
Accordingly,

IT IS HEREBY ORDERED that the Clerk shall cause Dr. Graham to be served with process at 194 East Lawn Ave., St. Robert, MO 65584.

IT IS FURTHER ORDERED that plaintiff's Motion for a Preliminary Injunction is **DENIED**.

IT IS FINALLY ORDERED that the Clerk shall send plaintiff a blank pro se civil complaint form.

Dated this 1st day of November, 2013.



UNITED STATES DISTRICT JUDGE